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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,162	02/13/2004	Matthias Slodowski	064192-0107	5100
22428 EOLEV AND	7590 10/02/2007		EXAMINER	
FOLEY AND LARDNER LLP SUITE 500			STOCK JR, GORDON J	
3000 K STRE			ART UNIT PAPER NUMBER	
	,		2877	
			MAIL DATE	DELIVERY MODE
			10/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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	Application No.	Applicant(s)	
Advisory Action	10/777,162	SLODOWSKI, MAT	THIAS
Before the Filing of an Appeal Brief	Examiner	Art Unit	
	Gordon J. Stock	2877	
The MAILING DATE of this communication appe	ears on the cover sheet with the c	orrespondence add	ress
THE REPLY FILED 13 September 2007 FAILS TO PLACE TH			
 The reply was filed after a final rejection, but prior to or or this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a Notal Request for Continued Examination (RCE) in compliant time periods: The period for reply expires 3 months from the mailing date 	wing replies: (1) an amendment, aff ptice of Appeal (with appeal fee) in a ce with 37 CFR 1.114. The reply ma	fidavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire	Advisory Action, or (2) the date set forth	in the final rejection, wh g date of the final reject	nichever is later. In ion.
Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7	06.07(f).		
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of exunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office late may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amount shortened statutory period for reply orig r than three months after the mailing da).	of the fee. The approprinally set in the final Offite of the final rejection,	riate extension fee ice action; or (2) as even if timely filed,
 The Notice of Appeal was filed on A brief in comfiling the Notice of Appeal (37 CFR 41.37(a)), or any external a Notice of Appeal has been filed, any reply must be filed AMENDMENTS 	ension thereof (37 CFR 41.37(e)), to	avoid dismissal of the	hs of the date of ne appeal. Since
3. The proposed amendment(s) filed after a final rejection,	but prior to the date of filing a brief	will not be entered b	ecause
 (a) ☐ They raise new issues that would require further co (b) ☐ They raise the issue of new matter (see NOTE below) (c) ☐ They are not deemed to place the application in be 	onsideration and/or search (see NO ow);	TE below);	
appeal; and/or (d) They present additional claims without canceling a	corresponding number of finally rej	ected claims.	
NOTE: (See 37 CFR 1.116 and 41.33(a))	•		(DTOL 204)
 4. The amendments are not in compliance with 37 CFR 1.1 5. Applicant's reply has overcome the following rejection(s 		mpliant Amendment	(PTOL-324).
6. Newly proposed or amended claim(s) would be a		timely filed amendme	ent canceling the
non-allowable claim(s). 7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro-	☐ will not be entered, or b) ☒ wivided below or appended.	ill be entered and an	explanation of
The status of the claim(s) is (or will be) as follows: Claim(s) allowed:			
Claim(s) objected to:			
Claim(s) rejected: <u>1-3,6-13 and 16-20</u> . Claim(s) withdrawn from consideration:			
AFFIDAVIT OR OTHER EVIDENCE			
 The affidavit or other evidence filed after a final action, because applicant failed to provide a showing of good ar was not earlier presented. See 37 CFR 1.116(e). 	ut before or on the date of filing a N nd sufficient reasons why the affidat	otice of Appeal will <u>n</u> vit or other evidence i	ot be entered s necessary and
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessa	overcome <u>all</u> rejections under appe ry and was not earlier presented. S	al and/or appellant fa See 37 CFR 41.33(d)(ils to provide a 1).
10. The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	on of the status of the claims after e	entry is below or attac	hed.
11. The request for reconsideration has been considered b	ut does NOT place the application i	n condition for allowa	nce because:
 12. ☐ Note the attached Information Disclosure Statement(s). 13. ☒ Other: See Continuation Sheet. 	(PTO/SB/08) Paper No(s).	N)	

Continuation of 13. Other: The applicant's arguments filed on September 13, 2007 have been fully considered but are not found persuasive by the Examiner. In regards to the arguments of claim 1 on page 2 of Remarks concerning that Birkner 'does not teach or suggest that any inspection and/or imaging is done during the transport from the load port to the workstation, i.e. while the substrate is being conveyed on the substrate conveying module 1' it is noted that the features upon which applicant relies (i.e., inspection and/or imaging during transport from the load port to the workstation) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The limitation 'wherein the measurement unit for thin-layer macrometrology is configured such that an image of an entire surface of the substrate is acquired does not preclude macroinspection while the substrate is not being moved between stations or between load ports and workstations. As for the Sandland reference being incompatible because Sandland teaches two transfer mechanisms, an arm and turntable, Examiner disagrees. Sandland's transfer system comprises both the arm and the turntable. See Sandland's Fig. 2:52. In addition, 'such that the semiconductor substrates are transported from the cassette element beneath the measurement unit for thin-layer macrometrology to the first measurement unit for thin-layer micrometrology' does not preclude having another transport device performing this particular transport function. In regards to claims 2,3,7-9 please see response to claim 1 arguments above. As for the arguments in regards to claims 10-13, 16, 18, see response to claim 1 arguments above. In addition, in regards to the limitation of claim 10 'during transport to the measurement unit for thin-layer micrometrology' does not preclude having another transport mechanism perform this transport function. Also 'acquiring an image of an entire surface of the semiconductor substrates in the measurement unit for thin-layer macrometrology' does not preclude macroinspection while the substrate is not being moved between stations.